

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Anthony Michael Gioiosa, Sr.,

Plaintiff

V.

Dontrell Livingston, et al.,

Defendants

Case No.: 2:20-cv-01806-JAD-DJA

Order Dismissing Case as Duplicative

A review of the docket indicates that Plaintiff Anthony Michael Gioiosa, Sr.'s complaint¹ and application to proceed *in forma pauperis*² are identical to the complaint and application to proceed *in forma pauperis* that he filed in *Gioiosa v. Harper*, Case No. 2:20-cv-01671-RFB-NJK. The record lacks any indication that Gioiosa intended to initiate duplicate litigations of his claims, and it appears that Gioiosa may have inadvertently refiled the same documents, without realizing that he was opening a new case. Because Gioiosa's claims will be considered in Case No. 2:20-cv-01671-RFB-NJK, I dismiss the instant action as duplicative, and close this matter.

Conclusion

IT IS THEREFORE ORDERED that the Clerk of the Court is directed to FILE the complaint (ECF No. 1-1).

IT IS FURTHER ORDERED that this case is dismissed as duplicative of the claims made in plaintiff's previously filed case, *Gioiosa v. Harper*, Case No. 2:20-cv-01671-RFB-NJK.

¹ ECF No. 1-1.

² ECF No. 1.

1 IT IS FURTHER ORDERED plaintiff's application to proceed *in forma pauperis* [ECF
2 No. 1] is **DENIED** as moot.

3 IT IS FURTHER ORDERED that the Clerk of the Court is directed to SEND plaintiff a
4 courtesy copy of this order and CLOSE THIS CASE.

5 Dated: July 12, 2021

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8 U.S. District Judge Jennifer A. Dorsey
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